

UNITED STATES DEPARTMENT OF AGRICULTURE

U. S. FOREST SERVICE
NATIONAL FORESTS in NORTH CAROLINA
PISGAH NATIONAL FOREST
APPALACHIAN RANGER DISTRICT

ORDER NO. 04-01-2012

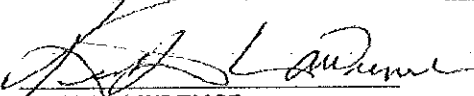
Pursuant to the provisions of Title 36 Code of Federal Regulations (CFR), Section 261.50(a) and (b), the following acts or omission is prohibited at Murray Branch Picnic Area; on the Appalachian Ranger District of the Pisgah National Forest. This closure order is effective from April 1, 2012 until April 1, 2016.

1. Camping. 36 CFR 261.58(e)
2. Being in the Murray Branch Recreation Area between the hours of 10:00 PM and 6:00 AM. 36 CFR 261.58(b)
3. Possessing a beverage which is defined as an alcoholic beverage by state law. 36 CFR 261.58(bb)

Pursuant to the provisions of Title 36 CFR, Section 261.50(e), the following persons are exempt from the above prohibition:

1. Person with a special use permit specifically authorizing the otherwise prohibited act or omission, issue by the District Ranger.
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

Executed in Asheville, North Carolina on 17th day of April, 2012


KEITH LAWRENCE
Acting Forest Supervisor
National Forests in North Carolina

Violations of the above prohibition are punishable by a fine of not more than \$5000 for an individual and \$10,000 for an organization or imprisonment for not more than six (6) months or both. Title 16 USC 551 and Title 18 USC 3559 and 3571.

Addendum – Closure Justification - Murray Branch Picnic Area

The area described encompasses the area of Murray Branch Picnic Area. The closure is in response to a noticeable increase in visitor uses to the Murray Branch Picnic Area that has resulted in increased emergency response by police, EMS and search and rescue personnel. Alcohol and drug violations have increased along with a correlating rise in assaults, thefts and disorderly conduct incidents. The Murray Branch Picnic Area is a small developed day use area that receives heavy use from visitors for purposes other than what the site is designed for. The management practice desired in the order is to have visitors comply with the alcohol and camping prohibitions. It is managements' desire that compliance with the order will result in a decrease DUI's, assaults, disorderly conduct and other alcohol related violations as well as control of illegal camping violations.



Forest
Service

National Forests in
North Carolina

160 Zillioea St. Ste. A
Asheville, NC 28801-1082
828-257-4200

File Code: 1730

Date: Oct 1, 2011

Route To:

Subject: Closure Order for Murray Branch Day Use Area

To: Forest Files

The need for conducting a Civil Rights Impact Analysis has been considered for this order. Consultation with forest personnel and a check of user of Murray Branch Picnic Area show no reason for me to believe that any protected groups will be in any way disproportionately impacted by the order. The area will remain open as historically managed. There will be no effects to Forest Service employees. For these reasons, I have determined that a CRIA is not necessary for implementing this action.

MARISUE HILLIARD
Forest Supervisor





Forest
Service

National Forests in North Carolina
Pisgah National Forest
Appalachian Ranger District

PO Box 128
US Bypass 19
Burnsville, NC 28714-0128
828-682-6146

File Code: 1900

Date: October 1, 2011

Route To:

Subject: Closure Order Murray Branch Picnic Area

To: Files

I have decided to administratively designate Murray Branch Picnic Area as a Day Use Facility with restrictions on alcoholic beverages. The following actions are now prohibited:

1. Camping, 36 CFR 261.58(e)
2. Being in the Murray Branch Recreation Area between the hours of 10:00 PM and 6:00 AM, 36 CFR 261.58(b)
3. Possessing a beverage which is defined as an alcoholic beverage by state law, 36 CFR 261.58(bb)

In accordance with Title 36 of the Code of Federal Regulations 220.6(2)(d)(2), Rules, regulations, or policies to establish service wide administrative procedures, program processes or instructions do not require a project or case file and decision memo.

/s/ Tina R. Tilley
TINA R. TILLEY
District Ranger





This area is open to Day Use Only

